

638-  
117964126  
A  
File

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Docket No. 54834  
Anticipated Classification Of This Application:  
Class 364 Subclass \_\_\_\_\_  
Prior Application: \_\_\_\_\_  
Examiner: J. Dixon  
Art Unit: 2304

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

12-31

FILE WRAPPER CONTINUING APPLICATION (FWC) (37 CFR 1.62)

1. This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a  
[x] continuation  
[ ] divisional  
[ ] continuation-in-part (for oath or declaration see 3 below)  
[ ] attached is an amendment for added subject matter

PARTICULARS OF PRIOR APPLICATION

- A. Application Serial No. 351,179, filed May 12, 1989  
B. Title (as originally filed) APPARATUS AND METHOD RESPONSIVE TO THE ON-BOARD MEASURING OF HAULAGE PARAMETERS OF A VEHICLE (and as last amended)  
C. Name of applicant(s) (as originally filed and as last amended) and current correspondence address of applicant(s)

FULL NAME OF FIRST INVENTOR

FAMILY NAME	1-00	FIRST GIVEN NAME	SECOND GIVEN NAME
Hagenbuch		LeRoy	G.

RESIDENCE AND CITIZENSHIP

CITY	STATE OR FOREIGN	COUNTRY OF
Peoria IL	COUNTRY	CITIZENSHIP
	Illinois	USA

POST OFFICE ADDRESS

POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/
4602 N. Rosemead Drive	Peoria	COUNTRY
		Illinois, 61614
		USA

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this 37 CFR 1.62 FWC transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date, October 20, 1992 in an envelope as "Express Mail Post Office To Addressee" service under 37 CFR 1.10, Mailing Label Number TB 058 860 747 US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

NEIL VANEGAS  
(Type or print name of person mailing paper)

Neil Vanegas  
(Signature of person mailing paper)

The above-identified application, in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

2. Inventorship Statement

- [x] This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are
- [x] the same
- [ ] less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted: \_\_\_\_\_
- [ ] This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application whose particulars are set out above, the inventors in this application are
- [ ] the same
- [ ] add the following additional inventors: \_\_\_\_\_
- [x] The inventorship for all the claims in this application is
- [x] the same
- [ ] not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

3. Declaration or Oath

A. Continuation or divisional

[x] none required

B. Continuation-in-part

[ ] attached

executed by (check all applicable items)

[x] inventors

[ ] legal representative of inventor(s) 37 CFR 1.42 or 1.43

[ ] joint inventor or person showing a proprietary interest for inventor who refused to sign or cannot be reached 37 CFR 1.47

[ ] This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached (See item 8 below for fee.)

[ ] not attached

[ ] Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above named applicant(s). (The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.)

[ ] Showing that the filing is authorized. (Not authorized unless called into question. 37 CFR 1.41(d).)

**4. Identification Of Claims For Further Prosecution**

- [x] The fees to be charged are to be based on the number of claims remaining as a result of the  
[ ] attached preliminary amendment.  
[ ] the unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated.  
[x] the claims as on file in the prior application.

**5. Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED					
Number Filed		Number Extra	Rate		Basic Fee
					\$710.00
Total Claims	28-20 =	8	x \$ 22.00		\$176.00
Independent Claims	8- 3 =	5	x \$ 74.00		\$370.00
Multiple Dependent Claim(s), if any			+ \$230.00		

[ ] Fee for extra claims is not being paid at this time (37 CFR 1.16(d)).

Filing Fee Calculation \$1256.00

**6. Petition For Suspension Of Prosecution For The Time Necessary To File An Amendment**

- [ ] There is provided herewith a Petition to Suspend Prosecution For The Time Necessary To File An Amendment (New Application Filed Concurrently).

**7. Small Entity Status**

- [x] A verified statement that this filing is by a small entity:  
[ ] is attached  
[x] The small entity statement was filed in the parent application Serial No. 351,179 parent application was filed on May 12, 1989 and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

Filing Fee Calculation \$628.00  
(50% of above)

**8. Fee Payment Being Made At This Time**

- [ ] No filing fee is submitted.  
[x] Filing fee \$628.00  
[ ] Recording Assignment \$ \_\_\_\_\_  
[ ] Petition fee for filing by other than all the inventors or person not the inventor where the inventor refused to sign or cannot be reached \$ \_\_\_\_\_  
[ ] Processing and retention fee \$ \_\_\_\_\_

**9. Method Of Payment Of Fees**

- [x] Attached is check in the amount of \$628.00  
[ ] Charge Account No. 12-1216 in the amount of \$ \_\_\_\_\_  
[ ] A duplicate of this request is attached \$ \_\_\_\_\_

**10. Authorization To Charge Additional Fees**

- The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to Account No. 12-1216:
- 37 CFR 1.16(a), (f), or (g)  
 37 CFR 1.16(b), (c), and (d)  
 37 CFR 1.16(e)  
 37 CFR 1.17  
 37 CFR 1.18

**11. Instructions As To Overpayment**

- Credit Account No. 12-1216  
 Refund

**12. Priority**

Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.

The certified copy was filed on \_\_\_\_\_ in prior U.S. application Serial No. \_\_\_\_\_, which prior application was filed on \_\_\_\_\_.

Certified copy will follow.

**13. Relate Back - 35 U.S.C. 120**

Amend the specification by inserting before the first line the sentence:

"This is a  
 continuation  
 divisional  
 continuation-in-part  
of copending application(s)  
 serial number 351,179 filed on May 12, 1989"  
 International Application \_\_\_\_\_ filed on \_\_\_\_\_ and which designated the U.S."

**14. Assignment**

The prior application is assigned of record to Philippi-Hagenbuch, Inc.  
 An assignment of the invention to Philippi-Hagenbuch is attached.

**15. Power of Attorney**

The power of attorney in the prior application is to John B. Conklin, Reg. No. 30,369

- The power appears in the original papers in the prior application.  
 The power does not appear in the original papers, but was filed on \_\_\_\_\_  
 A new power has been executed and is attached.  
 Address all future communications to:

John B. Conklin  
Reg. No. 30,369  
Leydig, Voit & Mayer  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600

**16. Maintenance Of Copendency Of Prior Application**

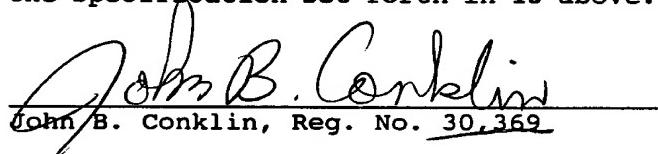
- A petition, fee and response has been filed to extend the term in the pending prior application until October 20, 1992.
- A copy of the petition for extension of time in the prior application is attached.

**17. Abandonment Of Prior Application**

- Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in the application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time please add the words "now abandoned" to the amendment to the specification set forth in 13 above.

Date: October 20, 1992

LEYDIG, VOIT & MAYER  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600

  
John B. Conklin, Reg. No. 30,369